

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRIAN E. SAYLOR,

Plaintiff,

v.

KATHLEEN ALLISON, et al.,

Defendants.

No. 1:21-cv-01284-DAD-HBK (PC)

ORDER DISMISSING ACTION WITHOUT  
PREJUDICE DUE TO PLAINTIFF'S  
FAILURE TO PAY FILING FEE

(Doc. No. 14)

Plaintiff Brian E. Saylor is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 27, 2021, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's application to proceed *in forma pauperis* under 28 U.S.C. § 1915(g) be denied and that he be ordered to pay the required \$402.00 filing fee in order to proceed with this action. (Doc. No. 8.) On October 26, 2021, the undersigned adopted those findings and recommendations, denied plaintiff's motion to proceed *in forma pauperis*, and ordered plaintiff to pay the \$402 filing fee in full within thirty (30) days. (Doc. No. 14.) Plaintiff was cautioned that his failure to pay the required filing fee within the specified time would result in dismissal of this action. (*Id.* at 2.)

1 To date, plaintiff has not paid the required filing fee or requested an extension of time to  
2 do so, and the deadline to pay the required filing fee has now passed.

3 Accordingly,

- 4 1. This action is dismissed without prejudice due to plaintiff's failure to pay the  
5 required filing fee; and
- 6 2. The Clerk of the Court is directed to close this case.

7 IT IS SO ORDERED.

8 Dated: **December 13, 2021**

  
UNITED STATES DISTRICT JUDGE